

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Ingemar Starke et al. Art Unit : 1625
Serial No. : 10/546,005 Examiner : David K. O'Dell
Filing Date (§ 371) : August 18, 2005 Conf. No. : 8620
Title : BENZOTHIAZEPINE AND BENZOTHIPIPERIDINE DERIVATIVES

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final office action dated December 23, 2009, finally rejecting claims 1, 4, 6-7, 12-13, and 18.

A petition for an extension of time under 37 C.F.R. § 1.136 to extend the time to respond to the final rejection for 3 month(s) to and including June 23, 2009 is filed concurrently herewith.

Applicant concurrently herewith establishes small entity status in the application.

Please apply \$270 for the appeal fee (small entity rate) and, if applicable, apply any other charges or credits to Deposit Account No. 06-1050 (ref. no. 23854-0005US1).

Respectfully submitted,

Date: June 23, 2009

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CERTIFICATE OF TRANSMISSION BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: June 23, 2009

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